- 1										
1	Andrew H. Wilson, SBN 063209 WILSON, RYAN & CAMPILONGO									
2	115 Sansome Street Fourth Floor	4-17-95								
3	San Francisco, California 94104 (415) 391-3900	4-1								
4	Telefax: (415) 954-0938									
5	Laurie J. Bartilson, SBN 139220 MOXON & BARTILSON									
6	6255 Sunset Boulevard, Suite 2000 Hollywood, CA 90028									
7	(213) 960-1936 Telefax: (213) 953-3351									
8	Attorneys for Plaintiff									
9	CHURCH OF SCIENTOLOGY									
10	INTERNATIONAL									
11	SUPERIOR COURT OF THE STATE OF CALIFORNIA									
12	FOR THE COUNTY OF MARIN									
13										
14	CHURCH OF SCIENTOLOGY INTERNATION-) AL, a California not-for-profit)									
15		DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF PLAINTIFF'S REPLY TO								
16)	ARMSTRONG'S OPPOSITION TO PLAINTIFF'S MOTION FOR								
17	Plaintiff,)	SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION								
18	vs.	OF PLAINTIFF'S COMPLAINT AND MOTION FOR SUMMARY								
19)	ADJUDICATION OF THE								
20	GERALD ARMSTRONG; DOES 1 through)	THIRTEENTH, SIXTEENTH, SEVENTEENTH AND NINETEENTH								
21	25, inclusive,)	CAUSES OF ACTION OF PLAINTIFF'S COMPLAINT								
22	Defendants.)	DATE: April 21, 1995								
23)	TIME: 9:00 a.m. DEPT: 1								
24		MDIAI DAME: No. 10 1005								
25		TRIAL DATE: May 18, 1995								
26										
27										
28										

I, Laurie J. Bartilson, hereby declare:

- 1. My name is Laurie Bartilson. I am a member of the law firm of Moxon & Bartilson, representing plaintiff in this action. I have personal knowledge of the facts set forth in this declaration and could competently testify thereto if called as a witness.
- 1. On April 7, 1995, the date on which his oppositions were due to be filed and served, Armstrong brought an <u>ex parte</u> application to this Court for a continuance. He sought an additional week in which to file his papers.
- 2. On behalf of the plaintiff, I opposed Armstrong's application, both orally and in writing. I argued that Armstrong had already delayed hearing on the motions by 3 weeks, pushing the hearing to within 30 days of the trial date, and that Armstrong had already managed to secure 636 days of delay in this breach of contract case.
- 3. After hearing, this Court denied Armstrong's application, stating that no good cause existed for the requested continuance.
- 4. On April 11, 1995, I received a telephone call from the Court's research attorney. While sorting out the dates on which the motions were to be heard, the research attorney informed me that Armstrong had filed a declaration in opposition to one of the motions on Monday, April 10, 1995. I had not received anything from Armstrong. Accordingly, I immediately called Armstrong, got his answering machine, and left a message demanding that he send me anything that he had filed with the court immediately.

- 5. On April 12, 1995, Armstrong telefaxed me a letter stating that he had mailed a declaration and exhibits to her on April 10, 1995, and that he had filed no other documents "thus far." A true and correct copy of Armstrong's letter is attached hereto as Exhibit C. I have received nothing from Armstrong beyond the single, late-filed declaration.
- 6. In January, 1995, this Court heard another motion for summary adjudication in this action. Armstrong filed a supplemental declaration in opposition to that motion, late and without leave of court. The declaration was stricken, and Armstrong ordered to pay \$700 as a sanction for the late filing.

I declare under the penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed this 13th day of April, 1995, at Los Angeles California.

Laurie & Bartilson

PROOF OF SERVICE

STATE OF CALIFORNIA)

COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Boulevard, Suite 2000, Los Angeles, CA 90028.

On April 14, 1995, I served the foregoing document described as DECLARATION OF LAURIE J. BARTILSON IN SUPPORT OF PLAINTIFF'S REPLY TO ARMSTRONG'S OPPOSITION TO PLAINTIFF'S MOTION FOR SUMMARY ADJUDICATION OF THE TWENTIETH CAUSE OF ACTION OF PLAINTIFF'S COMPLAINT AND MOTION FOR SUMMARY ADJUDICATION OF THE THIRTEENTH, SIXTEENTH, SEVENTEENTH AND NINETEENTH CAUSES OF ACTION OF PLAINTIFF'S COMPLAINT on interested parties in this action,

- [] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;
- [X] by placing [] the original [X] true copies
 thereof in sealed envelopes addressed as follows:

MICHAEL WALTON 700 Larkspur Landing Circle Suite 120 Larkspur, CA 94939

William R. Benz, Esq. 900 Larkspur Landing Circle, No. 185 Larkspur, CA 94939

[X] BY MAIL

- [] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.
- [x] As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los

Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on April 14, 1995 at Los Angeles, California.

1]	** (B	Y I	PERSO	NAL	SE	RVICE)	I	del	ivered	such
en	vel	opes	by	hand	to	the	offices	of	the	addres	sees.

Executed on at Los Angeles, California.

[X] (State) I declare under penalty of the laws of the State of California that the above is true and correct.

[] (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Print or Type Name

Signature

* (By Mail, signature must be of person depositing envelope in mail slot, box or bag)

** (For personal service signature must be that of messenger)